REMARKS/ARGUMENTS

The Office Action of June 1, 2005 has been carefully reviewed and these remarks are responsive thereto. Claims 1-5, 8-11 and 17-29 have been amended. No new matter has been added. Claims 1-36 remain pending after entry of this amendment. Entry of the amendment and allowance of the instant application are respectfully requested.

Specification

Applicant thanks the Examiner for identifying the missing information in the specification. Applicant has amended the specification to provide this information.

Rejections Under 35 U.S.C. § 103

Claims 1-36 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg *et al.* (U.S. Pat. No. 6,452,597, hereinafter Goldberg) in view of Yamagishi *et al.* (U.S. Pat. No. 6,178,338, hereinafter Yamagishi). This rejection is respectfully traversed for the following reasons.

Amended independent claim 1 recites, *inter alia*, "determining a number of options from the given set of options to include in said option list, wherein said number of options is dependent upon a display size of the options in the user interface of the application and fitting the application having said displayed size in the display." Neither Goldberg nor Yamagishi, either separately or in combination, teach or suggest such a feature. Goldberg discloses at column 4, lines 48-55 that data and control information are adjusted to an appropriate size. Moreover, these adjustments are based on the size of a display area available on the display for displaying the information. *Id.* In contrast, claim 1 recites determining a number of options to include in an option list wherein the number of options is dependent upon a display size of the options. At best, Goldberg discloses truncating a caption based on the size of the display area and the information to be displayed. Col. 7, ll. 8-22. Truncation is wholly dissimilar to determining a number of options to include in an option list. More specifically, truncating a caption relates to the *removal* of characters from the caption itself, a method which is in direct contrast with determining a number of options *from a given set of options to include* in an option list. Thus, Goldberg's method of truncating a caption (and truncation in

general) is not related to the method of claim 1. Similarly, Yamagishi fails to teach or suggest such a feature. Nowhere does Yamagishi even suggest determining or limiting a number of options to include in said option list, wherein said number of options is dependent upon a display size of the options in the user interface of the application, as is recited in claim 1.

Even if Goldberg and Yamagishi were combined in the manner suggested by the Office Action, the combination would not result in the invention of claim 1. At most, such a combination would result in a caption associated with an option list being truncated due to the size of a display area per Goldberg's method. However, and as discussed with respect to claim 1, truncation is entirely unrelated to determining a number of options from a given set of options to include in an option list. Significantly, the user could still scroll through all items in the option list, even those not immediately visible on the display. Claim 1 is thus allowable for at least this reason.

Claims 2-24, 35 and 36 are dependent on claim 1 and are thus allowable for at least the same reasons as claim 1 and further in view of the novel and non-obvious features recited therein. For example, claims 5-7 and 8-11 relate to removing or adding, respectively, at least one option from an option list to adapt to the size of the display. Nowhere does either Goldberg or Yamagishi, either separately or in combination, teach or suggest such a feature. The Office Action alleges at page 4 that Goldberg shows a step of removing the lines of information if the size of the display of the application decreases. The Office Action's assertion represents a misunderstanding of Goldberg. The cited passage relied upon by the Office Action discloses "adjusting (either increasing or reducing) the number of lines used to display the information." Col. 6, ll. 20-47. The addition/removal of lines *used to display* information does not correspond to the addition/removal of content displayed therein. In other words, simply removing a display line does not equate to removing the information that is to be displayed on that display line (one can still display the same information using smaller font or other techniques to adapt to the fewer number of lines). Claims 5-7 and 8-11 are thus allowable for this additional reason.

Amended independent claim 25 describes, *inter alia*, "determining a number of options from the given set of options to include in said option list, wherein said number of options is dependent upon a display size of the options by the user interface of the application." As discussed previously, neither Goldberg nor Yamagishi, either separately or in combination, teaches or

suggests such a feature. At best, Goldberg teaches resizing control and data information according to display size. Claim 25 is thus allowable for at least this reason.

Amended independent claim 26 recites, *inter alia*, "a scaling means operating with said application user interface and said one or more applications of said application user interface for determining a number of options from a given set of options to include in an option list, wherein said number of options corresponds to said at least one of resolution or size." For substantially similar reasons as those discussed with respect to claims 1 and 25, neither Goldberg nor Yamagishi, separately or in combination, teaches or suggests such a feature. Claim 26 is thus allowable for at least this reason.

Claim 27-34 are dependent on claim 26 and are thus allowable for at least the same reasons as claim 26 and further in view of the novel and non-obvious features recited therein.

CONCLUSION

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. However, if for any reason the Examiner believes the application is not in condition for allowance or there are any questions, the examiner is requested to contact the undersigned at (202) 824-3153.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 19, 2005   By:

Ross Dannenberg, Registration No. 49,024
1001 G Street, N.W.
Washington, D.C. 20001-4597
Tel: (202) 824-3000
Fax: (202) 824-3001

RAD/CAM/mmd